

Transport and Environment Committee

10.00am, Tuesday, 18 March 2014

Increase in Littering and Flytipping Fixed Penalty Notice Amounts

Item number	7.11
Report number	
Wards	All

Links

Coalition pledges	P44
Council outcomes	CO17 CO19
Single Outcome Agreement	SOA4

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Executive summary

Increase in Littering and Flytipping Fixed Penalty Notice Amounts

Summary

Following the recent Scottish Governments National Litter Consultation, the prescribed amounts for litter and flytipping Fixed Penalty Notices (FPN's) will increase on 1 April 2014 from £50 to £80 for littering, and from £50 to £200 for flytipping.

Recommendations

It is recommended that Committee:

1. note the content of this report; and
2. request a further report in 12 months detailing the impact of the increase in terms of revenue and payment rates for the affected FPN's.

Measures of success

- Reduction in flytipping complaints
- Reduction in Littering complaints
- Increase in CIMS scores
- Increase in FPN revenue

Financial impact

The increase in FPN amounts is intended to account for inflation and recognises the greater environmental and economic consequences of fly tipping and littering, it is also likely to reduce payment rates particularly around flytipping FPN's which are due to increase from £50 to £200. The overall impact of the increase in FPN amount against an anticipated lower payment rate is difficult to determine at this time.

Projected FPN Revenue Levels 2014/15	Littering	Flytipping	
		Trade	Domestic
Current Revenue (2012/13)	£55,755	£37,749	£14,125
Projected Revenue on New Notices			
Payment Rate of 100%	£141,600	£201,400	£113,000
Payment Rate of 80%	£113,290	£161,120	£90,400

Equalities impact

Individuals on a low income may face challenges in meeting the increased cost of the proposed charges.

Sustainability impact

The measures outlined in this report contribute to help achieve a sustainable Edinburgh by increasing the deterrent effect of FPN's for littering and flytipping, aiming to reduce the instances of littering and flytipping and promote a cleaner environment for communities in Edinburgh.

Consultation and engagement

The Scottish Government consulted with Local Authorities, stakeholders and practitioners between 4 July 2013 and 27 September 2013.

Background reading / external references

Towards a Litter-Free Scotland: Consultation on a Strategy to Tackle and Prevent Litter and Flytipping <http://www.scotland.gov.uk/Publications/2013/07/6925/downloads>

Increase in Littering and Flytipping Fixed Penalty Notice Amounts

1. Background

- 1.1 The Scottish Government's consultation, "Towards a Litter Free Scotland: Consultation on a Strategy to Tackle and Prevent Litter and Flytipping" was open from 4 July 2013 to 27 September 2013. The consultation sought views from practitioners and stakeholders, including Local Authorities, of the best way to influence individuals to take more responsibility around litter and flytipping.
- 1.2 Actions were set out under three strategic directions:
- Information: communication, education and support for businesses.
 - Infrastructure: providing/servicing bins, product design, guidance and future funding.
 - Enforcement: improving the effectiveness of legislation and training.
- 1.3 The consultation put forward a package of measures designed to complement and reinforce each other. These are intended to challenge individuals who litter and flytip, support those who already dispose of their waste responsibly and encourage more recycling in Scotland.

2. Main report

- 2.1 Following initial feedback and support from the Scottish Government National Litter Consultation, the Fixed Penalty Notice (FPN) amounts for litter and flytipping will be increased from the 1 April 2014.
- 2.2 Both the littering and flytipping FPN's are currently fixed at £50, although these levels were previously set approximately 10 years ago and inflation has eroded their current values. The increase in FPN amounts also aims to recognise the greater environmental and economic consequences of flytipping and littering in Scotland today.
- 2.3 The increase in FPN's will change;
- the litter FPN issued under S88 of the Environmental Protection Act 1990 will increase from £50 to £80.
 - the flytipping FPN issued under S33 of the Environmental Protection Act 1990 will increase from £50 to £200.
- 2.4 It should be noted that there is no clear definition for flytipping. For the purpose of this report and enforcement action it is the manner and the amount of items disposed of or abandoned, rather than the incorrect presentation of waste for collection, that would constitute flytipping.

- 2.5 The increased amounts for FPNs are a positive move towards public responsibility for the greater environmental and economic consequences of flytipping and littering in Scotland.
- 2.6 An additional team of environmental wardens has been in place since summer 2013 focusing on litter and dog fouling enforcement. This is a temporary arrangement with the aim of covering costs through income generated by FPNs. To date the costs of the team have not been fully met by FPN income. This increase in FPN amounts will assist in making the team self financing.

Communications Strategy

- 2.7 The Scottish Government will run a national publicity campaign highlighting the changes in legislation to members of the public and businesses. This will be accompanied in May by a Nation Litter campaign raising awareness of the impact of litter across Scotland.
- 2.8 The national media campaign will be supported by a communications toolkit to help organisations locally to communicate messages and actions that relate to the forthcoming national litter strategy. The toolkit will be produced by the Scottish Government with the support of Zero Waste Scotland.
- 2.9 The communications toolkit is designed to support partners such as Local Authorities, land owners, statutory bodies, community groups, educational establishment and businesses. The subject areas it will cover include:
- The increase in Fixed Penalty Notices - The Scottish Government Litter campaign.
 - Other national litter strategy-related developments including those around recycling and flytipping.
- 2.10 It is proposed that the toolkit would be available online and could provide organisations with the following materials:
- A summary of the national litter strategy and actions to date.
 - Key messaging.
 - Key facts and statistics which can be used to communicate the problem.
 - Frequently Asked Questions for staff/organisations.
 - Frequently Asked Questions for the general public.
 - Script for interviews and opinion pieces.
 - Guidance on how to use the toolkit and promote the key messages including suggested communications methods, timing and evaluation methods.
 - Guidance and resources for staff training, and communicating with staff, elected members, customers and local residents.

- Materials such as posters, web banners, press adverts, press releases, presentation templates, signage and messages for promotional materials, social media messaging, and newsletter articles.
- Web content.
- Case studies on successful communications activities by other organisations.
- Photo library.

2.12 In tandem, the Council will develop its own communications strategy supported by the above material.

3. Recommendations

3.1 It is recommended that Committee:

1. note the content of this report; and
2. request a further report in 12 months detailing the impact of the increase in terms of revenue and payment rates of the affected FPN's.

Mark Turley

Director of Services for Communities

Links

Coalition pledges	P44 – Prioritise keeping our streets clean and attractive
Council outcomes	CO17 – Clean – Edinburgh’s streets and open spaces are clean and free of litter and graffiti CO19 – Attractive Places and Well Maintained – Edinburgh remains and attractive city through development of high quality buildings and spaces and the delivery of high standards
Single Outcome Agreement	SOA4 – Edinburgh’s communities are safer and have improved physical and social fabric
Appendices	Appendix 1 – Letter to all Local Authority Chief Executives